

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KEVIN BELCHER,

Plaintiff,

vs.

SCOTT E. PEARSON,

Defendant.

Case No.: 3:20-CV-00296-RCJ-WGC

ORDER ADOPTING AND ACCEPTING  
REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE  
(ECF NO. 3)

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb (ECF No. 3<sup>1</sup>) entered on August 24, 2020, recommending that the Court grant Plaintiff's Application to Proceed *In Forma Pauperis* (ECF No. 1) and Scott E. Pearson, is dismissed with prejudice, with leave to amend. No objection to the Report and Recommendation has been filed.

This action was referred to Magistrate Judge Cobb under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

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<sup>1</sup> Refers to Court's docket number.

1 The Court has considered the pleadings and memoranda of the parties and other relevant  
2 matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.

3 **IT IS HEREBY ORDERED** that Magistrate Judge Cobb's Report and Recommendation  
4 (ECF No. 3) is **ADOPTED and ACCEPTED**.

5 **IT IS FURTHER ORDERED** that Plaintiff's Application to Proceed *In Forma*  
6 *Pauperis* (ECF No. 1) is **GRANTED**.

7 **IT IS FURTHER ORDERED** that the Clerk of the Court shall file the Complaint (ECF  
8 No. 1-1).

9 **IT IS FURTHER ORDERED** that within **30 DAYS** Plaintiff shall pay, through NDOC,  
10 an initial partial filing fee in the amount of \$10. Thereafter, whenever his prison account exceeds  
11 \$10, he should be required to make monthly payments in the amount of 20 percent of the  
12 preceding month's income credited to his account until the full \$350 filing fee is paid.

13 **IT IS FURTHER ORDERED** that Scott E. Pearson is **DISMISSED WITH**  
14 **PREJUDICE**.

15 **IT IS FURTHER ORDERED** that the Complaint (ECF No. 1-1) is **DISMISSED**  
16 **WITH LEAVE TO AMEND** within **30 days** from the date of this Order.

17 **IT IS FURTHER ORDERED** that the amended complaint must be complete in and of  
18 itself without referring or incorporating by reference any previous complaint. Any allegations,  
19 parties, or requests for relief from a prior complaint that are not carried forwarded in the  
20 amended complaint will no longer be before the court. Plaintiff shall clearly title the amended  
21 pleading as "AMENDED COMPLAINT."

22 **IT IS FURTHER ORDERED** if Plaintiff fails to file an amended complaint within the  
23 30 days, the action will be dismissed.  
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